

THE HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO. 12080 OF 2007

DATED: 21-09-2007

BETWEEN:

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Patru Padmavathamma
W/o.Jayarami Reddy and 50 others

...Petitioners

and

The Govt. of A.P., rep. by its Secretary,
I & CAD Department, Secretariat,
Hyderabad and another

...Respondents

THE HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO. 12080 OF 2007

ORDER:

This writ petition is filed by the petitioners aggrieved by the action of the respondents in not re-determining the compensation in terms of Sec.28-A of the Land Acquisition Act.

2. According to the petitioners, their lands have been acquired under the provisions of the Land Acquisition Act and an award was passed with award No.2/95 dated 20-08-1995. However, the petitioners did not seek any reference under Sec.18 to the Civil Court for re-determination of the compensation. But, however, with reference to some other claimants, a reference was made and compensation was re-determined in L.A.O.P. Nos.1074/2001 and 1075/2001 dated 24-04-2002. In the light of the award of the Civil Court, the petitioners made their applications under Sec.28-A of the Land Acquisition Act before the second respondent, but, however, the second respondent did not pass appropriate orders awarding compensation by re-determining the same. Aggrieved thereby, the petitioners have come

up with the present writ petition.

3. A counter is filed on behalf of the respondents disputing the claim and also stating that there are discrepancies as to the identity of the applicants as well as the extents. Even though notice was issued fixing up the date for enquiry, the petitioners did not appear. Therefore, the respondents did not take any action and pay the compensation on the ground that the petitioners did not appear.

4. Learned counsel for the petitioners represents that if any enquiry is proposed by the respondents, the petitioners are prepared to cooperate and produce all the necessary evidence and appear before the Special Deputy Collector with the evidence and prove their cases.

5. Under the above circumstances, the writ petition is disposed of directing all the petitioners to appear on 22-10-2007 at 11.00 a.m. before the second respondent at his office at Kadapa with all necessary evidence to prove their cases. The second respondent shall conduct necessary enquiry as is required under Sec.28-A and pass appropriate orders considering the claims of the petitioners. It is also made clear that if the second respondent was not able to complete the enquiry on that day, he can continue either on the next day or fix up another date convenient to both the parties and complete the enquiry within two (2) weeks from the date of the enquiry and thereafter pass appropriate orders expeditiously, and communicate the same to the petitioners.

5. Writ petition is accordingly disposed of. No order as to costs.

S. ANANDA REDDY, J.

Dated: 21-09-2007

Rns